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IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 3292 of 2007

Siddharth Harising Verma & ors. .. Applicants

versus

State of Maharashtra & ors. .. Respondents

...

Mr.P.R. Arjunwadkar for the applicants.

Ms.Rajashree M.Gadhavi APP for the State.

Mr.V.V. Gangurde for respondent nos.2 and 3.

CORAM : D.G.KARNIK, J

DATED : 21st November 2007

P.C.:

1. Heard learned counsel for the applicant, learned APP for the State and Mr. Gangurde for respondent nos.2 and 3.

2. The applicant is arrested in respect of C.R. No.I-300 of 2007 registered in Ambernath Police station, District Thane for offences punishable under section 143, 365, 323, 348, 504 and 506 of the IPC. Respondent no.3 has filed a First Information Report

on 27th August 2007 alleging that he was abducted by the applicant in night between 19th and 20th August 2007 and assaulted for recovery of the money for Rs.1 lakh taken by the builder employer of the respondent no.3. Admittedly, no weapons were used for assault. The respondent is alleged to have assaulted by hand and foot. There is a delay of 7 days in lodging the FIR. Satisfactory explanation for the delay in lodging the FIR is not forthcoming. Respondent no.3 was not kidnapped from his residence. Respondent is stated to have been kidnapped from a place in front of Shiv Mandir. It is not explained how the applicant come to know that the respondent no.3 would be at Shiv Mandir at that odd hour of the night.

3. It may be noted that interim protection was granted by this court on 9th October 2007. There is no allegation of any abuse of the said interim protection by the applicant. In the circumstances, the applicant is entitled to anticipatory bail. Hence, I pass the following order:-

O R D E R

. In the event of applicant being arrested in connection with C.R. No.I-300/2007 registered with Ambernath Police station, the applicant shall be released on bail on furnishing personal bond of Rs.20,000/- with one or two sureties making the

aggregate amount of Rs.20,000/- subject to the following conditions:-

i) The applicant shall co-operate with the investigation.

ii) The applicant shall go to the police station as and when required by the police.

iii) The applicant shall not make any inducement or threats to any of the prosecution witnesses, nor tamper with the witnesses.

. Application is disposed of.

(D.G. KARNIK, J)